



General Assembly

January Session, 2015

Raised Bill No. 7008

LCO No. 5103



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:
(PS)

***AN ACT CONCERNING LIABILITY FOR DAMAGE CAUSED BY A
POLICE DOG.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22-357 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2015*):

3 If any dog does any damage to either the body or property of any
4 person, the owner or keeper, or, if the owner or keeper is a minor, the
5 parent or guardian of such minor, shall be liable for the amount of
6 such damage, except when such damage has been occasioned to the
7 body or property of a person who, at the time such damage was
8 sustained, was committing a trespass or other tort, or was teasing,
9 tormenting or abusing such dog. If a minor, on whose behalf an action
10 under this section is brought, was under seven years of age at the time
11 such damage was done, it shall be presumed that such minor was not
12 committing a trespass or other tort, or teasing, tormenting or abusing
13 such dog, and the burden of proof thereof shall be upon the defendant
14 in such action. In an action under this section against a household
15 member of a law enforcement officer to whom has been assigned a dog

16 owned by a law enforcement agency of the state, any political
17 subdivision of the state or the federal government for damage done by
18 such dog, it shall be presumed that such household member is not a
19 keeper of such dog and the burden of proof shall be upon the plaintiff
20 to establish that such household member was a keeper of such dog and
21 had exclusive control of such dog at the time such damage was
22 sustained. For the purposes of this section, "property" includes, but is
23 not limited to, a companion animal, as defined in section 22-351a, and
24 "the amount of such damage", with respect to a companion animal,
25 includes expenses of veterinary care, the fair monetary value of the
26 companion animal and burial expenses for the companion animal.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2015</i>	22-357
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Statement of Purpose:

To create a rebuttable presumption that a household member of a police officer who is assigned a police service dog is not the keeper of such police service dog under the dog bite statute.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]